

CHAPTER 325

REGULATION

PART I

DEFINITIONS

22 VAC 40-325-10 Definitions

The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise:

“Department” means the Virginia Department of Social Services.

“Direct costs” means the cost of salary and fringe benefits.

“Food Stamps” means the program supervised by the Virginia Department of Social Services through which a household can received food stamps with which to purchase food products.

“Fraud Recovery Special Fund” means the special fund established under §63.1-58.2, D. of the Code of Virginia.

“Fraud Reduction/Elimination Effort” means the program established in compliance with §63.1-58.2 of the *Code of Virginia* to ensure that fraud prevention and investigation are aggressively pursued throughout the Commonwealth of Virginia.

“Fraud prevention and investigation units” means a person or persons whose job it is to work on all aspects of prevention and investigation of fraud cases.

“FREE” means the Fraud Reduction/Elimination Effort.

“General fund” means that portion of the budget of the Commonwealth of Virginia which is made up of general tax revenues, the major sources of which are sales tax, income tax, and profits from the Virginia Lottery.

“Local departments” means local departments of social services.

“Local share” means that portion of the administrative costs of operation borne by local departments of social services.

“Performance based methodology” means an evaluation of a local agency’s program performance, including collections, in relation to requests for reimbursement for the direct costs of program staff.

“Private entities” means individuals or organizations other than federal, state, or local personnel or agencies.

“Reimbursed” means the process by which the Department of Social Services provides monetary credit to local departments of social services for their administrative costs.

“TANF” means the Temporary Assistance for Needy Families program.

“Temporary Assistance for Needy Families” means the program which provides a monthly cash benefit to families which meet income and eligibility requirements.

PART II

FRAUD REDUCTION/ELIMINATION EFFORT

22 VAC 40-325-20 The Fraud Reduction//Elimination Effort

A. In compliance with ?63.1-58.2 of the *Code of Virginia*, the Department of Social Services shall establish a statewide fraud prevention and control program, to be named the Fraud Reduction/Elimination Effort (FREE).

22 VAC 40-325

FRAUD REDUCTION/ELIMINATION EFFORT

B. Each local department of social services shall operate FREE. Local departments shall submit a program operation plan, which shall include a description of program staffing, to the Department of Social Services for approval.

C. To the extent that state funding is available in the Fraud Recovery Special Fund, local departments which are in compliance with §63.1-58.2 of the *Code of Virginia*, the regulations contained herein, and Department of Social Services FREE program policy, shall be reimbursed for the local share of direct costs of FREE staffing.

1. During the first year of the program, requests for staffing shall be approved based upon each local agency's average caseload size.
2. Requests for subsequent years shall be evaluated based upon average caseload size, average number of monthly applications for Food Stamps and TANF, number of workers, geographic location, number of fraud investigations, program compliance, and collections. In order to receive reimbursement, a local agency's combined collections must equal or exceed the cost of its positions dedicated to FREE.